

AN ORDINANCE BY

09-O-0180

FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO CORRECT ORDINANCE 07-O-0009 ADOPTED BY CITY COUNCIL FEBRUARY 5, 2007, TO ANTICIPATE AND APPROPRIATE GRANT FUNDS IN THE TOTAL AMOUNT OF \$10,665,924 FROM THE FEDERAL AVIATION ADMINISTRATION PER GRANT AGREEMENT 3-13-0008-74 TO CORRECTLY ANTICIPATE AND APPROPRIATE \$8,375,119.00 FROM SAID GRANT AGREEMENT 3-13-0008-74 FOR PAYMENT OF THE PRINCIPAL ON THE SERIES 2004E PASSENGER FACILITY CHARGE BOND AND SUBORDINATE LIEN REVENUE BONDS AND THE REMAINING \$2,290,805 TO FACILITIES OTHER THAN BUILDINGS AND TO TRANSFER TO AND FROM APPROPRIATIONS THE AMOUNT OF \$3,555,308 ISSUED TO CONSTRUCT RUNWAY 10/28 (RUNWAY PAVING AND LIGHTING-PLAN 1; AND FOR OTHER PURPOSES.

WHEREAS, The City Council adopted on February 5, 2008 and Mayor signed into law on February 13, 2007 Ordinance 07-O-0009 to anticipate and appropriate \$10,665,924 grant funds from the FAA; and

Whereas, \$8,375,119.00 from the FAA grant agreement 3-13-0008-74 was intended for payment of the principal on the series 2004E Passenger Facility Charge Bond and Subordinate Lien Revenue Bonds; and

WHEREAS, Ordinance 07-O-0009 erroneously anticipated and appropriated the \$8,675,119.00 and the balance of funds, totaling \$10,665,924 to facilities other than buildings; and

WHEREAS, Corrective legislation is required to properly appropriate the grant funds to the intended accounts;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGA HEREBY ORDAINS:

SECTION 1. That the Airport Renewal and Extension Budget, Department of Aviation, is amended as follows:

Add to Anticipations

The amount of: \$10,665,924.00

PTEAO:

<u>AIP74 Imp R/Way Safe Area</u>	<u>Task</u>	<u>DOA R N E AZ74</u>	<u>Fed-Direct-OC Rec. Directly Frm Fed. Grant</u>	<u>1</u>
18102849	101	550231302	3311101	

FDOA:

<u>ARPT Renewal & Exten.</u>	<u>DOA Cap. Plan. & Devel.</u>	<u>Fed-Direct-OC Rec. Directly Frm Fed. Grant</u>
5502	180201	3311101
<u>Airport</u>	<u>AIP74 Imp R/Way Safe Area</u>	<u>DOA R N E AZ74</u>
7563000	102849	31302
		<u>Default</u>
		0000
		<u>Default</u>
		00000000
		<u>Default</u>
		00000000

Add to Appropriations**The amount of: \$8,375,119****PTEAO:**

<u>AIP74 Imp R/Way Safe Area</u>	<u>Task</u>	<u>DOA R N E AZ74</u>	<u>Oper. Trans. Out to 5513</u>	<u>Organization</u>
18102849	101	550231302	6110085	COA

FDOA:

<u>ARPT Renewal & Exten.</u>	<u>DOA Cap. Plan. & Devel.</u>	<u>Oper. Trans. Out to 5513</u>
5502	180201	6110085
<u>Airport</u>	<u>AIP74 Imp R/Way Safe Area</u>	<u>DOA R N E AZ74</u>
7563000	102849	31302
		<u>Default</u>
		0000
		<u>Default</u>
		00000000
		<u>Default</u>
		00000000

The amount of: \$2,290,805**PTEAO:**

<u>AIP74 Imp R/Way Safe Area</u>	<u>Task</u>	<u>DOA R N E AZ74</u>	<u>Fac. Other than Buildings</u>	<u>Organization</u>
18102849	101	550231302	5414002	COA

FDOA:

<u>ARPT Renewal & Exten.</u>	<u>DOA Cap. Plan. & Devel.</u>	<u>Fac. Other than Buildings</u>
5502	180201	5414002
<u>Airport</u>	<u>AIP74 Imp R/Way Safe Area</u>	<u>DOA R N E AZ74</u>
7563000	102849	31302
		<u>Default</u>
		0000
		<u>Default</u>
		00000000
		<u>Default</u>
		00000000

SECTION 2: That the Chief Financial Officer be and is hereby authorized to pay
\$8,375,119 from the Airport Renewal and Extension Fund
5502/180201/6110078/7563000/102849/31302/0000/00000000/00000000 to the Airport
Facility Revenue Bond Sinking Fund:
5513/200816/5811002/80000000/000000/000000/0000/0000/00000000/00000000

Add to Anticipations**The amount of: \$8,375,119****PTEAO:**

<u>AIP74 Imp R/Way Safe Area</u>	<u>Task</u>	<u>Award</u>	<u>Oper. Trans. From 5502</u>	<u>Organization</u>
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18102849

1** 5513*****

3912024

COA

FDOA:

ARPT FAC Rev. Bond Sinking Fd DOA Cap. Plan. & Devel. Oper. Trans. From 5502
 5513 180201 3912024

<u>Airport</u>	<u>AIP74 Imp R/Way Safe Area</u>	<u>Funding Source</u>	<u>Default</u>	<u>Default</u>	<u>Default</u>
7563000	1028496	****	0000	00000000	00000000

Add to Appropriations**The amount of: \$8,375,119****FDOA:**

<u>ARPT FAC Rev. Bond Sinking Fd</u>	<u>NDP Arpt PFC Bd Series 2004</u>	<u>Rev. Bd Principal Pymnt</u>
5513	200816	5811002
<u>Debt Service</u>	<u>Default</u>	<u>Default</u>
8000000	0000000	0000000

SECTION 3: That the Airport Passenger Facility Charge Fund Budget, Department of Aviation, is amended**Transfer from Appropriations****The amount of: \$3,555,308**

<u>ARPT PFC Bd</u>	<u>NDP Reservation of Fund Appro</u>	<u>FD Bal.- Reserve for Appropriation</u>
5505	200101	1341500
<u>Accounting</u>	<u>Default</u>	<u>Default</u>
1512000	0000000	0000000

Transfer to Appropriations**The amount of : \$3,555,308****PTEAO:**

<u>AIP74 Imp R/Way Safe Area</u>	<u>Task</u>	<u>DOA PFC Rev</u>	<u>Facilities Other Than Bldgs</u>	<u>Organization</u>
18102849	101	550531345	5414002	COA

FDOA:

<u>ARPT PFC Bd</u>	<u>DOA Cap. Planning & Development</u>	<u>Facilities Other Than Bldgs</u>
5505	180201	5414002
<u>Airport</u>	<u>AIP74 Imp R/Way Safe Area</u>	<u>DOA PFC Rev</u>
		<u>Default</u>
		<u>Default</u>
		<u>Default</u>

7563000

102849

31345

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Section 3. That all ordinances and parts of ordinances in conflict with this ordinance are waived.

Part I: Legislative Request Form:

Instructions: Please answer all questions fully before submitting. Attach additional pages if necessary. All requests for legislation must have approval of a manager prior to submission. All incomplete requests will be returned. Send request via electronic mail to Legislative Counsel. No hard copies will be accepted. Please refer to attached deadlines for the relevant Chief of Staff submission guidelines.

1. **Legislation Name/Project Name:** FAA AIP 3-13-0008-74, CONSTRUCT RUNWAY 10/28(RUNWAY PAVING AND LIGHTING PLAN 1

2. **What is the purpose of this legislation? (check one)**

Accept a grant or donation [If so, is a matching grant required?] ☐ Yes ☐ No

- ☐ Amend budget
- ☐ Amend Code of Ordinances
- ☐ Amend Contract
- ☐ Anticipate funds
- ☐ Appropriate funds
- ☐ Apply for a grant or donation
- ☐ Authorize/renew Contract
- ☐ Fines/penalties
- ☐ Human Resources related
- ☐ Make a purchase
- ☐ New project
- ☐ Procuring goods
- ☐ Procuring services
- ☒ Other, please explain

Legislation correction to 07-O-0009

☐ If this legislation is to award/amend/renew a contract, please provide the following:

Expiration date of contract:

Contract Term (months/yr):

3. **Can the purpose of this legislative request be accomplished administratively?**

☐ Yes ☒ No I Don't Know

4. **Please explain and estimate any financial impact on the City or your Department.**

☐ Will there be a fee or charge assessed by the City? NO

- ☐ If so, how much?
- ☐ How was the fee or charge determined?
- ☐ Will revenue be generated for the City?

Committee of Purview: Transportation Committee

Caption: *AN ORDINANCE TO CORRECT ORDINANCE 07-O-0009 ADOPTED BY CITY COUNCIL FEBRUARY 5, 2007, TO ANTICIPATE AND APPROPRIATE GRANT FUNDS IN THE TOTAL AMOUNT OF \$10,665,924 FROM THE FEDERAL AVIATION ADMINISTRATION PER GRANT AGREEMENT 3-13-0008-74 TO CORRECTLY ANTICIPATE AND APPROPRIATE \$8,375,119.00 FROM SAID GRANT AGREEMENT 3-13-0008-74 FOR PAYMENT OF THE PRINCIPAL ON THE SERIES 2004E PASSENGER FACILITY CHARGE BOND AND SUBORDINATE LIEN REVENUE BONDS AND THE REMAINING \$2,290,805 TO FACILITIES OTHER THAN BUILDINGS AND TO TRANSFER TO AND FROM APPROPRIATIONS THE AMOUNT OF \$3,555,308 ISSUED TO CONSTRUCT RUNWAY 10/28 (RUNWAY PAVING AND LIGHTING-PLAN 1; AND FOR OTHER PURPOSES.*

Council Meeting Date:

Requesting Dept.: Department of Finance

Please remember to contact Human Resources if this request involves personnel changes (ex. Reclassification, New Hires, Termination, etc.

5. If there has been previous or similar legislation, please describe and cite the relevant legislation (e.g., 04-R-0001). 07-O-0009

6. Is this a computer/technology purchase? ☐ Yes ☒ No

If so, please forward ISR (Information System Hardware/Software Request) along with a copy of this Legislative Request Form via inter-office mail to: Legislative Counsel, Suite 4100, Law Department.

Please forward any additional pertinent or supporting documents (e.g. contracts, exhibits, requisitions, copies of any old ordinances/resolutions pertaining to this issue, etc.) along with a copy of this Legislative Request Form and legislative white paper via e-mail to the designated Legislative Counsel attorney for your department.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

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2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

Ordinance 07-O-0009 was adopted by City Council on February 05, 2007 and approved by the Mayor on February 13, 2007, in which the Federal Aviation Administration ("FAA") announced its intention, in accordance with the provisions of Section 47110(e) Title 49, as amended Title 49, United States Code, to obligate funds from future budget authority to issue grants to pay the City, for the United States share of allowable costs at the Airport for the project described as Construction of Runway 10/28 (Runway Paving & Lighting-Plan 1); improve Runway Safety Area (Runway 9L); improve Runway Safety Area (Runway 9R); and improve Runway Safety Area (Runway 8L/26R); and ordinance 07-O-0009 incorrectly appropriated all funds to Facilities Other than Buildings. The amended ordinance will correctly anticipate and appropriate the grant funds.

3. If Applicable/Known:

(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):

(b) Source Selection:

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (Ex. Name and number):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: Example: Local Assistance Grant Federal Aviation Administration

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Jack Tilson

Contact

Number: 6838

Originating Department: Department of Finance

Committee(s) of Purview: TRANSPORTATION COMMITTEE

Council Deadline: 1/15/09

Committee Meeting Date(s): Jan. 28, 2009

Commissioner Signature 

CAPTION

AN ORDINANCE TO CORRECT ORDINANCE 07-O-0009 ADOPTED BY CITY COUNCIL FEBRUARY 5, 2007, TO ANTICIPATE AND APPROPRIATE GRANT FUNDS IN THE TOTAL AMOUNT OF \$10,665,924 FROM THE FEDERAL AVIATION ADMINISTRATION PER GRANT AGREEMENT 3-13-0008-74 TO CORRECTLY ANTICIPATE AND APPROPRIATE \$8,375,119.00 FROM SAID GRANT AGREEMENT 3-13-0008-74 FOR PAYMENT OF THE PRINCIPAL ON THE SERIES 2004E PASSENGER FACILITY CHARGE BOND AND SUBORDINATE LIEN REVENUE BONDS AND THE REMAINING \$2,290,805 TO FACILITIES OTHER THAN BUILDINGS AND TO TRANSFER TO AND FROM APPROPRIATIONS THE AMOUNT OF \$3,555,308 ISSUED TO CONSTRUCT RUNWAY 10/28 (RUNWAY PAVING AND LIGHTING-PLAN 1; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by Mayor's Office: 1/13/09 AMQ Reviewed by: 1/14/09 AMQ
(date) (date)

Submitted to Council: _____
(date)